

## REMARKS

Claims 2-22 are pending and all stand rejected. The independent claims are claims 2, 10-15, and 19.

Independent claims 2, 10-15, and 19 are rejected by the non-final Official Action as obvious under 35 U.S.C. § 103 from *Teresawa* (U.S. Patent No. 6,147,714) in view of Admitted Prior Art (APA, page 6, lines 1-10 of application) and *Eyer* (U.S. Patent No. 5,982,445).

Neither the *Eyer* reference nor the APA was previously cited or relied upon. The APA states as follows:

“In data transmission streams TS of digital video signals complying to the DVB definitions, each service is advantageously indicated with three identification numbers: `original_network_id`, `transport_stream_id`, and `service_id`. This gives the address form: `dvb://original_network_id.transport_stream_id.service_id`, which can be further extended hierarchically to the components in said service for example by using the DSM-CC object carousel and adding the necessary information to the above-mentioned address.”

This APA is from the present application’s “Discussion of Related Art,” according to page 2 of Preliminary Amendment A.

### **Admitted Prior Art and the *Eyer* Reference Do Not Render the Present Invention Obvious**

Regarding the APA, the APA does discuss a worldwide identification algorithm for service identification data. The present claimed invention discloses non-numeric worldwide information for retrieving those service identifications, and the Official Action asserts that this is suggested by *Eyer*. Applicant respectfully disagrees that this is suggested by *Eyer*.

*Eyer* does not disclose a URL address that would have a non-numeric identifier for television service. Col. 6 lines 59-64 of *Eyer* does show a URL for addressing a television service, but the identifier is clearly numeric (“444”). Thus, *Eyer* discloses no textual identifier for a television service. Likewise, *Eyer* does not disclose a non-numeric URL format. *Eyer*

only discloses the same basic principles of URL's that are disclosed in the present application as prior art: i.e. URL's with numeric identifier. The present invention is to use a worldwide unique non-numeric identifier and to associate it with the services. This is a clear inventive step, combining known prior art in a new way and in a new environment (i.e. non-numeric unique identifiers are well known prior art in the Internet, but had not thusfar been applied for television services). The Applicant cannot agree that the present invention would have been obvious for one of ordinary skill in the art in view of *Eyer*, especially since the applicant explains essentially the same thing as *Eyer* in the application's discussion of prior art (APA). Of course, *Terasawa* also does not indicate a worldwide unique non-numeric identifier, as the non-final Official Action acknowledges.

Furthermore, columns 11 and 12 of *Eyer* describe using URL-type syntax to control various functions of a television or other household appliance (see column 12, lines 20-23). Of course, controlling household appliances is quite a different field of invention from the present application, and is the antithesis of the worldwide system presently claimed. The present application concerns identifying services worldwide, rather than identifying appliance functions in a household.

It is apparent from *Eyer's* chart at column 11 that *Eyer's* chart is directed toward using a URL-type syntax to increase volume, lower volume, mute the television, and perform other functions that are typically performed by a television remote control, or by the knobs or buttons on a television set or television set-top box. This *Eyer* chart is unrelated to identifying programs or services incoming from a service provider, much less from a service provider having a worldwide identification system.

Thus, columns 11 and 12 of *Eyer* are unrelated to identifying incoming services using any kind of information, much less using non-numeric name information that retrieves service identifications for the incoming services. These cited portions of *Eyer* do not teach or suggest that the name information will be globally individual worldwide, or that the name information will be used to retrieve service identifications.

If one were to somehow be led to combine the APA with the URL-type-name designations at *Eyer*'s columns 11 and 12, then one could easily end up with URL-type-names that vary from one household to another or from one country to another, even though the URL-type names could be used to retrieve worldwide numeric identifications. For example, the name htvਪ.hello.tv in the United States could easily retrieve the same identical numerical service identification data as htvਪ.bonjour.tv in France, which would be completely contrary to the present claimed invention wherein the name information must be globally individual worldwide regardless of whether the service identification is globally individual worldwide.

None of the references teach or suggest a combination of name information and service identifications, or that the former (the name information) must be globally individual worldwide, as opposed to the latter (the service identifications) being globally individual worldwide.

At page 4, second paragraph of the non-final Official Action, reference is made to column 4, lines 40-50 of *Eyer*, and also "col. 3, lines 17-15." Applicant respectfully points out that "17-15" is evidently a typographic error.

Regarding column 4 of *Eyer*, that column does mention that display data is coded according to HTML, and may provide information regarding network television signals. However, there is no suggestion in *Eyer* that the HTML-type display data can be used for retrieving any further identifications, such as the worldwide and globally individual service identifications of the APA; even if *Eyer* did suggest such a thing, that would not imply that the display data would *also* be worldwide and globally individual. For example, as described above, the name htvਪ.hello.tv in the United States could easily retrieve the same exact worldwide numerical service identification data as would be retrieved by the name htvਪ.bonjour.tv in France. In other words, just because the service identifications are individual worldwide does not in any way imply that the same will be true of the name information which retrieves the service identifications.

As mentioned above, and as acknowledged by the non-final Official Action (page 4, second paragraph), *Terasawa* does not indicate a worldwide unique non-numeric identifier.

The present invention talks about a non-numerically descriptive globally unique identifier. *Terasawa* col. 8, lines 40-50 clearly describes a numerical identifier. Even if it uses the words “service\_id provides a label...”, col. 8 lines 26 - col. 9 line 2 is depicting fig. 14. From fig. 14, it is evident that the disclosed service\_id of *Terasawa* is about two bytes long - i.e. the service\_id of DVB SI. An identifier two bytes long clearly has to be numeric, in order to be unique to some reasonable extent in the disclosed way. Likewise, the original\_network\_id of *Terasawa* is clearly numeric, because fig. 14 indicates that it is also 2 bytes long. The service\_provides and service\_names of *Terasawa* are the identifiers that are intended to be displayed to the end user, as disclosed in fig. 8 of *Terasawa*. These are not globally unique as are the names of the present invention.

#### **Lack of Motivation to Combine the References**

Applicant would also like to respectfully point out that the non-final Official Action did not identify in *Terasawa* or *Eyer* or the APA any suggestion, teaching, or motivation to combine these three references, contrary to the recent holding in *In Re Sang Su-Lee* (CAFC 2002, 00-1158, Serial No. 07/631,240). The CAFC reiterated that “a showing of a suggestion, teaching, or motivation to combine the prior art references is an essential component of an obviousness holding.” Applicant respectfully submits that there is nothing in any of these three references that would suggest their combination. Moreover, as discussed above, even when these three references are combined, they fail to suggest significant and novel features of the present claimed invention.

Likewise, the mere fact that references can be combined does not render the resultant combination obvious unless there is a “suggestion or motivation in the reference” to combine. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990) *cited at* MPEP § 2143.01 (emphasis added).

The non-final Official Action states at page 5 that combining *Eyer* with the other two references would have been obvious in order to make the method of *Terasawa*-plus-APA more “user-friendly.” However, Applicant respectfully submits that, according to this rationale, the

obvious solution would have been instead to alter the APA so that it uses non-numeric identification. In contrast, the present claimed invention requires no change in the APA identification data, and instead provides a non-obvious additional set of name information, which is for retrieving the APA identification data. The purpose for this approach is described in the present application, at page 6, lines 11-22. At page 6, lines 11-20, the central rationale is described: addressing the situation where the APA identification data can change without requiring any change in the name information. None of the references recognize this problem, or solve it.

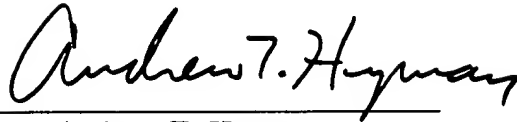
At page 6, lines 20-22, the rationale of user-friendliness is mentioned. However, this rationale alone would merely result in changing the APA identification data so that it is non-numeric, without requiring the present claimed name information that is used for retrieving the identification data.

### CONCLUSION

Applicants respectfully submit that the claims of the present application define patentable subject matter and are patentably distinguishable over the cited references for the reasons explained. The rejections of the non-final Official Action of January 2, 2003 having been shown to be inapplicable, retraction thereof is kindly requested, and early passage of claims 2-22 to issue is earnestly solicited.

Applicant would appreciate if the Examiner would please contact Applicant's attorney by telephone, if that might help to speedily dispose of any unresolved issues pertaining to the present application.

Respectfully submitted,



Andrew T. Hyman  
Attorney for Applicant  
Registration No. 45,858

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WARE, FRESSOLA, VAN DER  
SLUYS & ADOLPHSON LLP  
Building Five, Bradford Green  
755 Main Street, P.O. Box 224  
Monroe, CT 06468  
Telephone: (203) 261-1234  
Facsimile: (203) 261-5676  
USPTO Customer No. 004955